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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,747	01/12/2004	leon Chen	EQUUS-074A	9631
7590	11/26/2004		EXAMINER	
Bruce B. Brunda STETINA BRUNDA GARRED & BRUCKER Suite 250 75 Enterprise Aliso Viejo, CA 92656			KING, ANITA M	
			ART UNIT	PAPER NUMBER
			3632	
DATE MAILED: 11/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/755,747	CHEN, IEON <i>SI</i>
	<b>Examiner</b>	<b>Art Unit</b>
	Anita M. King	3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 12 January 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

- 4)  Claim(s) 1-5 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-5 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 12 January 2004 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/12/04.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

This is the first office action for application number 10/755,747, Automotive Gauge Mounting Bracket with Frictional Fit Apertures, filed on January 12, 2004.

### ***Drawings***

The drawings are objected to because in Fig. 5, "d<sub>4</sub>" appears to be incorrect and should be --d<sub>A</sub>--. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,507,706 to Trexler, Jr. in view of U.S. Patent 5,702,076 to Humber. Trexler discloses an automotive gauge mounting structure (10) engageable to an automotive vehicle interior, the structure comprising: a bracket (20); at least one gauge receiving aperture (22) formed in the bracket, and a gauge (12). Trexler discloses the claimed invention except for the limitation of the aperture defining a plurality of displaceable segments. Humber teaches a insulator (10) for insertion into an aperture of a plate, the insulator including at least one receiving aperture (22) formed in the bracket, the aperture defining a plurality of displaceable segments (18) and recesses extending therebetween, the segments being displaceable in response to insertion of a cylindrical object into the aperture for friction-fit engagement, and wherein the recesses define a plurality of outer arcuate recesses and the displaceable segment defines a plurality of displaceable inner arcuate segments disposes intermediate arcuate recesses. It would have been obvious to one having ordinary skill in the art to have included the insulator as taught by Humber for the purpose of providing a means holding a cylindrical object such as a gauge rigidly in position and to accommodate different sized objects.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trexler combined with Humber and in further view of Longo. Trexler in view of Humber disclose the claimed invention except for the limitation of recesses being provided with a series of radial cuts. Longo teaches that it is known to have a bracket (22) having a receiving aperture including a plurality of displaceable segments and recesses extending therebetween and

wherein the recesses are provided with a series of radial cuts, the cuts defining additional displaceable segments therebetween. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the bracket in Trexler combined with Humber to have included the recesses as taught by Longo for the purpose of providing an alternative, mechanically equivalent arrangement for rigidly supporting a cylindrical object such as a gauge within the aperture to prevent unwanted detachment of the gauge from the bracket.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trexler combined with Humber and in further view of U.S. Patent 3,603,551 to Peterson. Trexler combined with Humber discloses the claimed invention except for the limitation of the recesses defining a cross-shape aperture. Peterson teaches that it is known to have a bracket including at least one receiving aperture formed in the bracket, the aperture defining a plurality of displaceable segments and recesses extending therebetween, the segments being displaceable in response to insertion of a cylindrical object, and the recesses define a cross-shape aperture, having a plurality of displaceable interior segments. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the bracket in Trexler combined with Humber to have included the recesses as taught by Peterson for the purpose of providing an alternative, mechanically equivalent arrangement for rigidly supporting a cylindrical object such as a gauge within the aperture to prevent unwanted detachment of the gauge from the bracket.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 811,742 to Petrie

U.S. Patent 1,878,035 to Vickery

U.S. Patent 2,301,216 to Koontz

U.S. Patent 2,457,274 to Rifken

U.S. Patent 3,365,761 to Kalvig

U.S. Patent 3,504,876 to Swanson

U.S. Patent 3,570,108 to Sarra

U.S. Patent 3,599,910 to Wipff

U.S. Patent 3,724,277 to Parmentier

U.S. Patent D247,957 to Adams

U.S. Patent 5,855,388 to Brewer

Petrie discloses a drip attachment having an aperture comprising a plurality of displaceable segments and recesses. Vickery discloses an indicating mechanism for cars. Koontz discloses a bottle holder having an aperture with a plurality of displaceable segments. Rifken discloses a holder having an aperture with a plurality of displaceable segments. Kalvig discloses a holding device having a plurality of apertures comprising displaceable segments. Swanson discloses a means for mounting a plurality of instruments to a panel. Sarra discloses a method of providing and installing a group of instruments in a panel. Wipff discloses a mounting collar for use with panel-mounted instruments. Parmentier discloses a

resilient instrument carrying case. Adams discloses a console for underwater diving meters. Brewer discloses a floating gauge mount for a motorcycle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (703) 308-2162. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anita M. King  
Primary Examiner  
Art Unit 3632

November 22, 2004